

REMARKS

The Examiner has rejected the Claims 1-3 under 35 U.S.C. 103 as being obvious over Philips WO 95/29042 in view of Tietjens, stating that Philips'042 discloses the invention including an outer cutter 4 having an interior surface, radially extending hair capturing slits 15 and 15a and an outer circumferential side surface, an inner cutter 5 having a rotating side surface, and a gap, but does not show a plurality of upwardly extending inner blades; Tietjens teaches the use of a plurality of upwardly extending inner blades; and it would have been obvious to one of ordinary skill in the art to modify Philips'042 in view of the teachings of Tietjens.

Applicant has carefully reviewed the rejection, and would like to first point out that in Applicant's invention, the purpose and construction of the invention is to provide a cutter combination comprising an outer cutter and an inner cutter wherein the space between the inner cutter and outer cutter on one side D2 (Figure 5a) and the space D1 as shown in Figure 5b between the inner cutter and the outer cutter is different. In particular, the space D1 is greater than the space D2. Such a construction provides the advantage that on the side of the cutter where the space D1 is large or wide, the skin can protrude into the slit in the outer cutter and still not be contacted by the inner cutter. This is particularly advantageous in those areas of the face where the skin is soft and easily protrudes through the slit. Accordingly, these areas can be shaved with the razor without causing skin irritation or razor burn. Contrarywise, the other side of the cutter with the smaller gap D2 as shown in Figure 5a can be utilized in those areas where the skin is firmer and does not project through the slit and contact the inner cutter. When using this side of the cutter, the user can achieve a close shave without skin irritation. Applicant respectfully submits that such an advantage cannot be achieved with Philips'042 since Philips'042 is merely a cutter having an eccentric inner cutter and an outer cutter with a single slot to which the inner cutter moves back and forth across because of its eccentric position. Accordingly, in the cutter in Philips'042, there is no change in the gaps and the cutter cuts the same way in all areas. Accordingly, Applicant respectfully submits that Philips'042 not only does not show a construction like Applicant's invention, but also does not suggest to one of ordinary skill in the art that it might be modified to achieve the advantages of Applicant's invention.

Applicant has carefully reviewed Tietjens, and respectfully submits that while Tietjens

may disclose an inner cutter of the construction of Applicant's invention, if one were to place this inner cutter in the cutter of Philips'042, the resultant would be that the upwardly extending blades would still reciprocate back and forth because of the eccentric mounting and there would not be a constant wide space or narrow space on opposite sides of the inner cutter as in Applicant's invention. Accordingly, Applicant respectfully submits that the combination would still not be Applicant's invention and would not achieve the advantages of Applicant's invention.

In view of the above, Applicant respectfully submits that not only that the combination suggested by the Examiner not Applicant's invention, but also the combination suggested by the Examiner is not suggested to one of ordinary skill in the art. Therefore, Applicant respectfully submits that the Claims 1-3 are not obvious over Philips'042 in view of Tietjens.

In view of the above, therefore, it is respectfully requested that this Rule 116 amendment in the form of a request for reconsideration be entered, favorably considered, and the case passed to issue.

Please charge any additional costs incurred by or in order to implement this amendment or required by any requests for extensions of time to KODA & ANDROLIA DEPOSIT ACCOUNT NO. 11-1445.

Please charge any additional costs incurred by or in order to implement this amendment or required by any requests for extensions of time to KODA & ANDROLIA DEPOSIT ACCOUNT NO. 11-1445.

Respectfully submitted,  
KODA & ANDROLIA



William L. Androlia  
Reg. No. 27,177

2029 Century Park East  
Suite 1140  
Los Angeles, CA 90067-2983  
Tel: (310) 277-1391  
Fax: (310) 277-4118

Certificate of Transmission	
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office Fax No. (571) 273-8300 on <u>October 11, 2005</u> .	
_____ Signature	_____ Date
William L. Androlia Name	10/11/2005

3